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| 10/028,099 | 12/21/2001 | Olivier Giaume | FR000157 | 3110 |

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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BRIARCLIFF MANOR, NY 10510

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| EXAMINER |
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THOMPSON, ANNETTE M

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| ART UNIT | PAPER NUMBER |
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2825

DATE MAILED: 07/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/028,099

Applicant(s)

GIAUME ET AL.

Examiner

A. M. Thompson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other:

DETAILED ACTION

This application 10/028,099 has been examined. Claims 1-6 are pending.

Information Disclosure Statement

1. The listing of references in the foreign Search Report filed 26 June 2002 (Paper No. 8) is not considered to be an information disclosure statement (IDS) complying with 37 CFR 1.98. Nevertheless, in this case, Examiner has considered these references and listed them on form PTO-892.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: The specification, page 6, lines 32-34 and page 7, lines 1-6 references the illustration of threshold values (**val_j**) and replacement cells (**Cx**) in figure 4. However, the figure 4 illustration is not completely legible and further does not illustrate what is referenced. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

3. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

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The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

4. The abstract of the disclosure is objected to because it is merely a recitation of claim 1 and lacks narrative format. Additionally, the figure reference is unnecessary. Correction is required. See MPEP § 608.01(b).

5. The disclosure is objected to because of the following informalities: At page 5, line 14, change "to make" to *making* and "to diverge" to *diverging*.

Appropriate correction is required.

Claim Objections

6. Claims are objected to because of the following informalities: Pursuant to claim 1, at line 1, change "an" to - -an- -; delete the bullet characters (•), the indentation of the steps is the only suggested requirement (see 37 CFR 1.75). At line 7, rephrase "value of the propagation time computed" to - -*computed propagation time value*--. Pursuant to claim 4, this claim reference "the replacement step" and "the user", but this step which involves a user is not recited in claim 1. Appropriate correction is required.

7. Claims 5 and 6 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. For examination purposes, claim 5 is treated as reciting "An integrated circuit comprising a network of

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cells." For examination purposes, claim 6 is treated as reciting "A receiver device for radio signals."

Claim Rejections - 35 USC § 112

8. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

9. Claims 2 and 3 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claims contain subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Specifically, claims 2 and 3 reference the following: a cell of rank j of a same category; " cell of rank i replaced by a cell of rank k ; the value of k being equal to $i+j$. The claim terminology is unclear in meaning and Applicants' specification is additionally unclear: Applicants reference these terms at page 3, lines 6-10, page 3, lines 17-20, page 6, line 26-31. However, these references are insufficient to clarify what Applicants mean. For example, does the term "rank" reference a placement value, a drive strength or is there some other meaning? Additionally, do the letters (i , j , k) denote integer values? Further, what does the addition of " $i+j$ " signify? Still further, where are these ranked cells located and how do they relate to Applicants' optimization method. Applicants' specification is silent as to the meaning of this terminology which is not common to one of ordinary skill in the art of integrated circuits, and therefore the

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meaning and scope of the claim limitation is indeterminable for examination purposes.

Despite Applicants' references, claims 2 and 3 are not considered enabling .

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Rejection of claims 1, 4, and 5

11. Claims 1, 4, and 5 are rejected under 35 U.S.C. 102(e) as being anticipated by Garnett et al. (Garnett), U.S. Patent 6,516,456. Garnett discloses a method and apparatus for manipulating a group of instances of a circuit design database, and for performing group operations thereon.

12. Pursuant to claim 1 which recites [a] method for optimization (Fig. 3 (#52); col. 11, ll. 4-8; ll. 50-53) of temporal performances of a network of electronic cells, comprising a plurality of cells which are taken from a library (col. 10, ll. 55-64), comprising several categories of cells, the cells of a same category all having the same functionality (col. 12, ll. 46-50), which method comprises the steps of accurate computation of propagation times of signals which pass through each cell of the network (col. 12, ll. 30-36); and identification of cells which have a computed propagation time value greater than a predetermined reference value (col. 12, ll. 36-41).

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13. Pursuant to claim 4, wherein execution of the replacement step is subject to validation (col. 14, ll. 22-28; col. 15, ll. 29-36).

14. Pursuant to claim 5, which recites an integrated circuit comprising a network of cells (col. 9, ll. 2-7).

15. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Rejection of claim 6

16. Claim 6 is rejected under 35 U.S.C. 102(b) as being anticipated by Mannerstrale et al., U.S. Patent 6,091,963. Mannerstrale discloses a multi-frequency band receiver for RF signals.

17. Pursuant to claim 6, which recites a receiver device for radio signals (Abstract; Fig. 1, col. 1, ll. 10-13).

Conclusion

18. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please reference the PTO-892 for a complete listing.

19. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to A.M. Thompson whose telephone number is (703) 305-7441. The Examiner can usually be reached Monday thru Friday from 8:00 a.m. to 5:00 p.m.. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Matthew S. Smith, can be reached on (703) 308-1323.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956 or the Customer Service Center whose telephone number is (703)306-3329.

20. Responses to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9318, (for **OFFICIAL** communications intended for entry)

(703)872-9319, (for Official **AFTER-FINAL** communications)

Hand-delivered responses should be brought to Crystal Plaza 4, 2021 South Clark Place, Arlington, VA., Fourth Floor (Receptionist).



A. M. THOMPSON
Patent Examiner

18 July 2003